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Case Study Information

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24 November 1953

MEMORANDUM FOR: Chief, Information Coordination Division
Political & Psychological Warfare Staff

1. The attached communication from C. D. Jackson to the Director was discussed at the OCB meeting on 18 November and was referred to the OCB Working Committee on Treatment of Prisoners of War. You will remember that you gave me a memorandum on this attached paper. The OCB agreed that no action by it was necessary now and at least until the UN debate was over. The OCB agreed that the POW Working Group think about this question and perhaps be ready for any spot situation which might come up.
2. As a matter of interest, the Defense member of OCB expressed some concern about the idea of an international meeting which he felt might result in conclusions or recommendations which would embarrass the U. S.

NSC REVIEW
COMPLETED.

SIGNED

Assistant to the Director

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WGJ:vml

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NOV 18 1953

MEMORANDUM FOR: DIRECTOR OF CENTRAL INTELLIGENCE

VIA: Deputy Director (Plans)

SUBJECT: Mr. C. D. Jackson's Proposal for Exploitation of the Communist Treatment of UN Prisoners of War.

1. Mr. C. D. Jackson's suggestion that the barbaric treatment by the Communists of U.N. prisoners of war should be exploited widely by the United States and the free world is excellent in timeliness, emotional appeal and scope of receptive audiences.

2. We do not believe, however, that the program should result from an appeal to the President by an eminent American. Rather, it is suggested that a reputable international organization, with legitimate interests in the subject, such as the World's Veterans Federation, call upon the President of the United States, as a leader of the Free World and the Korean fight against Communism, to take the lead in forming a Commission to investigate these crimes against existing conventions.

3. The President might invite the governments of the fifteen other nations that provided combat troops to the UN Command in Korea to participate in the Commission's work. While it would be advantageous to have as many of the nations as possible participating in the program, a mixed commission involving US and only some of the Allies should be acceptable. If support from none of the Allies to such an undertaking was forthcoming the President should then appoint a strictly U.S. Commission of investigation.

4. Extensive publicity should be accorded by all available media to the testimony received by the Commission throughout the duration of its investigation. The psychological gains that would accrue to the United States during this investigation, even if the findings were not acted upon by the UN, would represent a significant contribution to the cold war efforts of the free world.

5. We believe the suggestion that the Commission should recommend that the President call an international meeting in The Hague to which the Soviet Union and Communist China would be invited should be examined in the light of the following:

a. Ambassador

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a. Ambassador Lodge's views should be sought in this connection to assure coordination with or support of any action which may be contemplated in the UN by the US.

b. The United States would be vulnerable to a degree by virtue of its failure to ratify the Genocide Convention and the Convention on Unconventional Warfare.

c. The presentation of our case would have to be so prepared as not to allow the Communists to utilize The Hague meeting as an ideal arena for their propaganda purposes.

6. It is believed, however, that this Commission's findings would be endorsed by the sixteen nations that participated in the Korean fighting -- or at least a significant number of this group -- and could be presented to the United Nations for action as an alternate to The Hague meeting.

7. The above paragraphs deal with recommendations pertaining to the subject of military prisoners only. The issue concerning political prisoners would require a different approach which perhaps could be best resolved by treatment within the UN. In this connection, additional efforts to have the UNGA consider the findings of the Ad Hoc Committee on Forced Labor may be the solution.



C. TRACY BARNES
Chief
Political and Psychological Warfare

Attachment: (original only)
Letter from C. D. Jackson to
Allen W. Dulles dated 10 November 1953

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SECRETTHE WHITE HOUSE
WASHINGTON**SECURITY INFORMATION**

November 10, 1953

Dear Allen:

Ever since I have been down here I have been trying to think of a way in which we might go on the moral and ideological offensive against the Communists in a way which would take the operation out of the pattern of cliches we have been able to develop and give it a bite and a punch which would really register on both sides of the Iron Curtain.

I am sure I need not tell you that so far my thinking has not been crowned with success.

However, within the past couple of weeks I do think I have had an idea which is worth your consideration. The idea was triggered by Dr. Mayo's extraordinary talk at the UN.

For a long time we have known that the Communists' goal is the complete domination of the bodies and minds of men, and week after week the evidence continues to pile up -- persecution of religious leaders in captive countries; continued and increasing use of slave labor in the USSR; and most recently, the purposeful barbaric treatment of the UN prisoners of war.

Protests regarding the religious leaders have gotten us practically nowhere-- in fact, the recent arrest of Cardinal Wyczynski, Primate of Poland, is probably a more fundamentally flagrant attack upon religion than any previous ones.

On slave labor, a 600-page report by the ILO, under the Chairmanship of an Indian, which completely absolves the U.S. and equally completely (though politely) indicts the USSR, seems to have slid off everybody's back without a murmur, and as you know, Cabot Lodge is seriously hamstrung

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But now we have the case of the prisoners in Korea, which is new, unique, dramatic, and understandable by the dullest schoolboy.

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I would like to propose that some eminent jurist -- for instance, Learned Hand -- write to the President along the following lines:

These recent disclosures regarding the treatment of prisoners, up to and including the Communist "explanation" techniques, have made obsolete the rules of war governing the treatment of prisoners -- rules laboriously and thoughtfully arrived at. There is the Hague Convention, and more recently the Geneva Convention.

Historically, the intent underlying the treatment of a prisoner has been to neutralize and protect a combatant after his capture. Today, the soldier of a Communist dictatorship, when taken prisoner, is forced by his masters to continue waging war through all available means. The prisoner's only alternative is to seek permanent safe haven with his captors.

The Communist side itself, meanwhile, ruthlessly exploits for its own ends the prisoners it takes, irrespective of international understandings and agreements entered into by the civilized world.

In order to survive, such prisoners may be forced into a conspiracy against freedom, against their own country, and may appear to give support to far-reaching Communist purposes.

Under such circumstances, traditional understandings neither protect nor neutralize the soldiers captured by either side.

The events in Korea, particularly the brainwashing of UN prisoners so clearly analyzed by Dr. Mayo, make imperative the complete reanalysis and reevaluation of the traditional concepts governing the allegiance on the part of prisoners of war to sovereign states, and the whole lexicon of international law with respect to prisoners must be thoroughly reviewed in the light of the Communist record of inhumanity.

* * *

The eminent jurist, in closing would ask the President's reaction, which should be the appointment of a Presidential Commission to conduct an

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inquiry on this whole subject -- the evolving history of the treatment of military and political prisoners, the legal aspects, the moral issues -- a real study in depth on the why's and the how's of where we were at the time of World War II. Then the study would go into everything that has happened since World War II up to and including the present ghastly situation.

An energetic Staff Officer would guide the work of the Commission through the scheduling of witnesses, and through the release of intermittent publicity on findings.

While the work of the Commission was going on, an undercurrent of interest and sympathetic understanding would be started through the appropriate private groups both here and abroad, who would request minutes of the Commission hearings, which would be furnished to them.

At the end of the inquiry, the Commission would issue a report of its findings, and conclude that Soviet techniques had rendered obsolete the rules of warfare with respect to prisoners, and that the nations of the world should take cognizance of that fact and not continue to react in surprised innocence.

Therefore, the Commission would recommend that the President call for an international meeting to be held in The Hague, to which the Soviet Union and Communist China would be invited, to review the new facts and to draw up new articles covering the treatment of military and political prisoners.

Sincerely yours,


C. D. Jackson

P.S. I am sending this same letter to the other Board Members of OCB.

Mr. Allen W. Dulles
Central Intelligence Agency
2430 E. Street N. W.
Washington, D. C.